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Order – Application to Waive Court Costs, Fees and Expenses

UCS-FWO1(01/2025)
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Supreme Court
County of New York
Present: Hon. HON. CAROL SHARPE
In the matter of: Appointing a fiduciary Auctioneer
Malcolm g. Cesar
Plaintiff/Petitioner (party bringing case) or Subject of Proceeding
-against-

Defendant/Respondent (opposing party; if none, leave blank)

Index/File Number: 100682/2025

The court has read the attached application to waive court costs, fees, and expenses filed on _____ alleging that:

1. Applicant is unable to pay the court costs, fees, and expenses required to prosecute or defend the case or to maintain or respond to an appeal
2. There is no other person beneficially interested in the case
3. Applicant has a good cause of action or claim

and it is **ORDERED**, that the application is (check one):

☒ **GRANTED**, and the clerk of the court shall not charge the applicant for court costs, fees, or expenses in this case, including one certified copy of the judgment. Any recovery by judgment or settlement in favor of the applicant must be paid to the clerk of the court and await a court order for distribution.

○ **GRANTED TO THE EXTENT** that the court costs, fees, and expenses related to this case are (check one):

- ○ waived only with respect to (check one):
  - ○ the court filing fee for a Notice of Appeal
  - ○ other (specify): _____
- ○ deferred until (check one):
  - ○ _____
  - ○ an inventory of assets is filed under Uniform Rules for the Surrogate's Court 207.20
  - ○ a proposed decree or order is submitted

NOTE: If, by settlement or any other means, the applicant receives assets of more than $_____, the court costs, fees, and expenses must be paid from the applicant's share of the estate before the proposed decree or order is signed.

FILED
JUN 20 2025
NEW YORK COUNTY
COUNTY CLERK

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O **DENIED**, and all applicable court costs, fees, and expenses must be paid by _____ (120 days from the date of this order) as required by section 1101 of the civil practice law rules. If not paid by such date, the case will be dismissed without further order of the court, and the clerk of the court shall close the file without further judicial action.

O **DECLINED** at this time because case papers are missing or need correction. If the following missing/corrected papers are filed with the court by _____, the court will reconsider the fee waiver application:

If the missing/corrected papers ARE NOT filed with the court by _____, the fee waiver application will be denied without further court order, and all applicable court costs, fees, and expenses must be paid by _____ (120 days from the date the fee waiver application is denied) as required by section 1101 of the civil practice law rules. If not paid by _____ (120 days from the date the fee waiver application is denied), the case will be dismissed without further court order, and the clerk of the court will close the file without further judicial action.

NOTE: The case cannot proceed unless the above missing/corrected papers are filed with the court. Therefore, even if the court costs, fees, and expenses are paid, the case will be stricken from the court's calendar if the missing/corrected papers are not filed, and if the case is not restored within 1 year, it will be deemed abandoned and dismissed without costs under section 3404 of the civil practice law and rules.

Date: June 20, 2025

Judge Signature

HON. CAROL SHARPE J.S.C.

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